

B) Remarks:**Summary of Personal Interview:**

Applicant wishes to thank Examiner Ming-Hun Liu for his time during the telephone interview conducted on April 23, 2004.

With regard to the Chan reference, Applicant pointed out during the interview that: The depression 155, disclosed in Chan, is for the user of the mouse to insert or place a finger for the purpose of guiding the mouse across a table surface, to which Examiner Liu agreed and withdrew the reference.

Response to Claim Rejections:

1. Claims 1, 2, 5-7, 10, 12, 22, 24-28, 33, and 34 have been rejected under 35 U.S.C. 102(b) as being unpatentable by U.S. Patent No. 5,327,161 to Logan et al.

- **Specifically regarding the rejection of claim 1:**

The Examiner indicates that Logan et al. teach a mechanical mouse button and touch pad combination 20.

Amended claim 1 recites “said handheld computer mouse system further comprising a handheld computer mouse system housing for supporting said at least one mechanical mouse button.” It is noted that the entire touchpad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. In contrast, Applicant’s mouse system includes a mouse system housing that houses and supports the at least one mouse button.

Applicant’s claim 1 specifically recites that the touch pad is *integrated into a cavity opening* of the mechanical mouse button and the integrated mechanical touch pad button is movably mounted in said mouse system housing and is capable of independent movement relative to said mouse system housing to invoke a highlighting mode without physical movement of said mouse system housing. The entire Logan et al. touch pad device 20 must be moved to invoke dragging. The Logan et al. reference does not teach a handheld computer mouse system wherein the touch pad button is moved relative to a mouse housing within which the touch pad button is mounted. Accordingly, the Logan et al. reference does not teach the claimed limitations.

For these reasons, Applicant submits that the Logan et al. reference does not anticipate the claimed subject matter of amended claim 1. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 2:**

The rejection of claim 2 should be withdrawn because the Logan et al. reference does not teach the limitations of the combination of claims 1 and 2. Applicant's claim 1 has been amended to recite that the mechanical mouse button "is capable of independent movement relative to said mouse system housing." The Logan et al. reference does not teach this limitation. The Logan et al. reference does not teach a mouse system housing for housing and supporting a mechanical mouse button and therefore the touch pad device 20 of Logan et al. is not capable of independent movement relative to a mouse system housing, as claimed by Applicant.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 2. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 5:**

Applicant's claim 5 requires that the mechanical mouse button have at least one finger-pressing device formed thereon. The Examiner recites in the rejection "*Logan's invention teaches the use of a single stroke operation.*" However, it is unclear to Applicant how this meets the structural limitation of claim 5 of a finger-pressing device formed on the mechanical mouse button. It is noted that the Logan et al. reference does not teach a finger-pressing device formed on the touch pad device 20. The rejection of claim 5 should be withdrawn.

The rejection of claim 5 should additionally be withdrawn because Applicant has added the additional limitation that the finger-pressing device formed on the mechanical mouse button is "*for application of pressure for*

causing movement of said at least one mechanical mouse button.” It is noted in Logan et al. at column 3, line 67 through column 4, line 2 that the operator presses on screen 54 to initiate dragging. Applicant recognizes that continued pressure applied to the touch pad results in damage and has provided finger-pressing devices when applying pressure to the touch screen buttons.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of claim 5 as submitted originally or in its current amended form. Accordingly, the Examiner has not shown that Applicant’s claimed product is structurally the same as that of Logan et al. and is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 6:**

The limitations of claim 6 specify that the *“auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad...the mechanical mouse button being movably mounted within said mouse system housing and capable of independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of said mouse housing.”*

The Logan et al. reference does not teach the limitations of claim 6. The Logan et al. reference does not teach 1) a mouse system housing for housing and supporting a mechanical mouse button; 2) a mechanical mouse button that moves independently of a mouse housing to invoke a highlighting operation without physical movement of the mouse housing.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 6. Accordingly, Applicant’s claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 7:**

The rejection of claim 7 should be withdrawn because the Logan et al. reference does not teach the limitations of the combination of claims 6 and 7. Claim 7 recites that the mechanical mouse button ***“is a press button.”*** The Logan et al. reference does not teach a press button that performs the functions as claimed in claim 6.

The limitations of claim 6 specify that the ***“auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad...the mechanical mouse button being movably mounted within said mouse housing and capable of independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of said mouse housing.”***

The Logan et al. reference does not teach the limitations of the combination of claims 6 and 7. The Logan et al. reference does not teach 1) a mouse system housing for housing and supporting a mechanical mouse button; 2) a mechanical mouse button that moves relative to a mouse housing to invoke a highlighting operation without physical movement of the mouse housing.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 7. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 10:**

The rejection of claim 10 should be withdrawn because the Logan et al. reference does not teach the limitations of the combination of claims 6 and 10.

Claim 10 recites ***that “said at least one touch pad is integrated into a cavity opening formed in said at least one mechanical mouse button.”***

The limitations of claim 6 specify that the ***“auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad...the mechanical mouse button being movably mounted within said mouse housing and capable of***

independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of said mouse housing.”

The Logan et al. reference does not teach the limitations of the combination of claims 6 and 10. The Logan et al. reference does not teach 1) a mouse housing for housing and supporting a movably mounted mechanical mouse button; 2) a mechanical mouse button that moves independently of a mouse housing to invoke a highlighting operation without physical movement of the mouse housing.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of claims 6 and 10. Accordingly, Applicant’s claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 12:**

The rejection of claim 12 should be withdrawn because the Logan et al. reference does not teach the combination of claims 6 and 12. Specifically, claim 12 recites that ***“said computer mouse housing is separate from a central processing unit housing and separate from a keyboard housing.”***

The limitations of claim 6 specify that the ***“auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad...the mechanical mouse button being movably mounted within said mouse housing and capable of independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of said mouse housing.”***

The Logan et al. reference does not teach the limitations of the combination of claims 6 and 12. The Logan et al. reference does not teach 1) a mouse housing for housing and supporting a movably mounted mechanical mouse button; 2) a mechanical mouse button that moves independently of a mouse housing to invoke a highlighting operation without physical movement of the mouse housing.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of claims 6 and 12. Accordingly, Applicant’s claimed

product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 22:**

The rejection of claim 22 should be withdrawn because the Logan et al. reference does not teach the combination of claims 1 and 22. Specifically, Amended claim 1 recites “*said handheld computer mouse system further comprising a handheld computer mouse system housing for supporting said at least one mechanical mouse button.*” It is noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing supporting said at least one mechanical mouse button. In contrast, Applicant’s claimed mouse system includes a mouse system housing that houses and supports said at least one mechanical mouse button.

Applicant’s claim 1 specifically recites that the touch pad is *integrated into a cavity opening* of the mechanical mouse button and the mechanical touch pad button is movably mounted in said handheld mouse system housing and is capable of independent movement relative to said mouse system housing to invoke a highlighting operation without physical movement of said mouse system housing. The entire Logan et al. touch pad device 20 must be moved to invoke dragging. The Logan et al. reference does not teach a handheld computer mouse system wherein the touch pad button is moved relative to a mouse housing in which the touch pad button is mounted. Accordingly, the Logan et al. reference does not teach the claimed limitations.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 1 in combination with claim 22.

Accordingly, Applicant’s claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 24:**

Applicant is unclear as to the Examiner's basis of rejection for claim 24. The Examiner has indicated that claim 24 is rejected under 102(b), but has provided an obvious statement in the body of the rejection of claim 24 by stating "... *it is obvious that Logan's invention sets out to prevent the need to drastically reposition the mouse in order to move the mouse cursor.*" For this reason alone the basis of the rejection is improper.

Applicant's claim 24 requires that the "handheld" computer mouse system manipulates and relocates a screen cursor without physical movement or repositioning of said handheld mouse system housing.

Additionally, the rejection of claim 24 should be withdrawn because the Logan et al. reference does not teach the combination of claims 1 and 24. Specifically, amended claim 1 recites "said handheld computer mouse system further comprising a handheld computer mouse system housing for supporting said at least one mechanical mouse button." It is noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. In contrast, Applicant's mouse system includes a mouse system housing that houses and supports the mouse button.

Applicant's claim 1 specifically recites that the touch pad is *integrated into a cavity opening* of the mechanical mouse button and the mechanical touch pad button is movably mounted in said handheld mouse system housing and is capable of independent movement relative to said mouse system housing to invoke a highlighting mode without physical movement of said mouse system housing. The entire Logan et al. touch pad device 20 must be moved to invoke dragging. The Logan et al. reference does not teach a handheld computer mouse system wherein the touch pad button is moved relative to a mouse housing within which the touch pad button is mounted. Accordingly, the Logan et al. reference does not teach the claimed limitations.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 1 in combination with claim 24.

Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 25:**

The limitations of claim 25 require that "at least one wall forming said cavity opening in said mechanical mouse button remains in a face-to-face relationship with at least one wall of the touch pad during manipulation of said at least one mechanical mouse button." The Examiner rejected the claim indicating that *"...the touch pad and button wall always maintain contact during push button implementations."*

However, the limitation of claim 25 does not require that the touch pad and mouse button maintain contact, but that at least one wall forming said cavity opening in said mechanical mouse button remains in a face-to-face relationship with at least one wall of the touch pad during manipulation of said at least one mechanical mouse button. Figures 2A and 2B of the Logan et al. reference, or the discussion thereof, do not show this structural limitation.

Applicant's claim 1 has been further limited to include *"said mechanical mouse button being movably mounted within an opening in said mouse system housing."* It is noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. Accordingly, the device 20 shown and described by Logan et al. is not be movably mounted within an opening of a mouse system housing. In contrast, Applicant's mouse system includes a mouse system housing that houses and supports the mouse button. This limitation is specifically required in claim 1, from which claim 25 depends. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 26:**

Applicant is unclear as to the Examiner's basis of rejection for claim 26. The Examiner has indicated that claim 26 is rejected under 102(b), but has provided an obvious statement in the body of the rejection of claim 26 by stating "... *it is obvious that Logan's invention sets out to prevent the need to drastically reposition the mouse in order to move the mouse cursor.*" The basis of the rejection is improper.

Claim 26 has been amended to depend from claim 6. Accordingly, the rejection of claim 26 should be withdrawn because the Logan et al. reference does not teach the combination of claims 6 and 26. Specifically, claim 26 recites that "*the auxiliary computer mouse functions to point and reposition a screen cursor without physical movement of the mouse housing.*"

Amended claim 6 recites "*said auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad, said mechanical mouse button being movably mounted within said mouse housing and capable of independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of said mouse housing.*" It is noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. In contrast, Applicant's mouse system includes a mouse system housing that houses and supports the mechanical mouse button.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 6 in combination with claim 26.

Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 27:**

Applicant is unclear as to the Examiner's basis of rejection for claim 27. The Examiner has indicated that claim 27 is rejected under 102(b), but has provided an obvious statement in the body of the rejection of claim 27 by stating "... *it is obvious that Logan's invention sets out to prevent the need*

to drastically reposition the mouse in order to move the mouse cursor.” The basis of the rejection is improper.

The rejection of claim 27 should be withdrawn because the Logan et al. reference does not teach the combination of claims 1 and 27. Specifically, amended claim 1 recites *“said handheld computer mouse system further comprising a handheld computer mouse system housing for supporting said at least one mechanical mouse button.”* It is noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. In contrast, Applicant’s mouse system includes a mouse system housing that houses and supports the mouse button.

Applicant’s invention specifically teaches that the touch pad is built and contained *in a cavity opening* of the movably mounted mechanical mouse button and the mechanical mouse button is supported and housed by a mouse system housing. The Logan et al. reference does not teach these limitations. The Logan et al. reference does not teach a handheld computer mouse system wherein the touch pad button is moved relative to a mouse housing in which the touch pad button is movably mounted.

For these reasons, Applicant submits that Logan et al. do not anticipate the claimed subject matter of amended claim 1 in combination with amended claim 27.

Accordingly, Applicant’s claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- *Specifically regarding the rejection of claim 28:*

The limitations of claim 28 specify that *“said at least one mechanical mouse button and the at least one touch pad are adapted to move together in a desired direction relative to said computer mouse system housing.”* The Logan et al. reference does not include a mouse system housing. Accordingly, the limitation is not met.

A claim is anticipated by a reference only if each and every element as set forth in the claim is found in the reference. For these reasons, Applicant

submits that Logan et al. reference does not anticipate the claimed subject matter of claim 28. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Logan et al. and is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 33:**

The limitations of claim 33 specify that at least one wall forming the cavity opening in the mechanical mouse button is in a face-to-face relationship with at least one wall of the touch pad.

The Examiner rejected the claim indicating that “...*the touch pad and button wall always maintain contact during push button implementations.*”

However, the limitation does not require that the touch pad and button maintain contact, but that at least one wall forming said cavity opening in the mechanical mouse button is in a face-to-face relationship with at least one wall of the touch pad. Figures 2A and 2B of Logan et al., or the discussion thereof, do not show this structural limitation.

Additionally, amended claim 1 recites “said handheld computer mouse system further comprising a handheld mouse system housing for supporting said at least one mechanical mouse button.” It is noted that the entire touchpad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing. In contrast, Applicant's mouse system includes a mouse system housing that houses and supports the at least one mechanical mouse button.

Applicant's claim 1 specifically recites that the touch pad is *integrated into a cavity opening* of the mechanical mouse button and the mechanical touch pad button is movably mounted in said system housing and is capable of independent movement relative to said mouse system housing to invoke a highlighting mode without physical movement of said mouse system housing. The entire Logan et al. touch pad device 20 must be moved to invoke dragging. The Logan et al. reference does not teach a handheld computer mouse system wherein the touch pad button is moved relative to a mouse

housing within which the touch pad button is mounted. Accordingly, the Logan et al. reference does not teach the claimed limitations.

For these reasons, Applicant submits that the Logan et al. reference does not anticipate the claimed subject matter of amended claim 1 in combination with amended claim 33. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 34:**

The limitations of claim 34 specify that at least one wall of the touch pad extends into the cavity opening. The Examiner rejected the claim indicating that “...*the touch pad and button wall always maintain contact during push button implementations.*”

However, the limitation does not require that the touch pad and button maintain contact, but that at least one wall of the touch pad extends into the cavity opening. Figures 2A and 2B of Logan et al., or the discussion thereof, do not show this structural limitation.

It is also noted that the entire touch pad device 20 (Figure 1A) or 50 (Figures 2A and 2B), shown and described by Logan et al., is the mouse system and does not include a mouse system housing as recited in amended claim 1. In contrast, Applicant's mouse system includes a mouse system housing that houses and supports the at least one movably mounted mouse button.

For these reasons, Applicant submits that the Logan et al. reference does not anticipate the claimed subject matter of amended claim 1 in combination with amended claim 34. Accordingly, Applicant's claimed product is structurally different from that of Logan et al. and the Examiner is requested to withdraw this rejection.

2. Claims 3, 4, 8, 9, and 29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. U.S. Patent No. 5,327,161.

• **Specifically regarding the rejection of claims 3, 4, 8, and 9:**

The Examiner has indicated in the rejection that Logan et al. *“understands that the press button can be of several types well known in the art (column 3, lines 65-66).”* However, contrary to the Examiner’s assertion, this statement or suggestion is not present in the Logan et al. reference. While Logan et al. disclose a touch pad device 20, Logan et al. do not teach or suggest alternative touch pad button structure and function that Applicant claims. In fact, other types of button structures would not be functional in Logan et al. based on the teachings of Logan et al. Accordingly, there is no suggestion or motivation in the Logan et al. reference to lead one to replace the press button of Logan et al. with a press and lock button or a sliding panel button. Logan et al. simply does not teach the equivalency of the claimed mouse button types. The reference must provide the motivation. The Logan et al. reference is specific in the type of touch pad button design and function to be used (press button that is moved up and down), because it functions properly in the Logan et al. invention. There is no suggestion in the Logan et al. reference that the disclosed touch pad device design 20 is open to modification or replacement. Such a suggestion broadens the scope of the Logan et al. patent to include subject matter not taught, conceived, or intended by Logan et al. patent. It must be shown that the prior art could be modified and there exists a suggestion of the desirability or motivation for making the modification. Logan et al. do not provide this suggestion, motivation, or desire. Nor, does the scope of the Logan et al. patent lend itself to modification. Logan et al. is specific in the type of touch pad device design and type that will function in the Logan et al. invention. Therefore, it would not have been obvious to have modified the Logan et al. reference as suggested by the Examiner. Accordingly, the Examiner cannot rely on Logan et al. for motivation to modify. Further, the Logan et al. reference does not overcome the deficiencies with regard to claim 1. Accordingly, the rejection of claims 3 and 4 should be withdrawn for the reasons stated above and also

with respect to claim 1, as claims 3 and 4 depend directly from claim 1. Additionally, the rejection of claims 8 and 9 should be withdrawn for the reasons stated above with respect to claim 6, as claims 8 and 9 depend directly from claim 6.

Therefore, it would not have been obvious to have incorporated different functioning button types in the Logan et al. invention because there is no suggestion or teaching by Logan et al. to do so and because Logan et al. do not teach the equivalency of press buttons to press and lock buttons and sliding panel buttons and the teachings of Logan et al. are specific for a single type of touch pad design and function.

For these reasons, Applicant submits that the Logan et al. reference does not suggest or make obvious the claimed subject matter of claims 3, 4, 8, and 9. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited reference and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 29:**

In the rejection of claim 29, the Examiner indicated *"there is no disclosed criticality as to why the touch pad must be on a backlit area."* The Examiner also indicates *"It would have been obvious to add a light because of the extreme conventionality of the practice that increases aesthetic value and also acts as location cue in the dark."* Neither of the suggestions of *"aesthetic value"* or *"location cue in the dark"* provided by the Examiner is the reason provided by Applicant's disclosure for providing backlighting. At page 38, last paragraph of Applicant's specification, it is disclosed that backlighting is used to indicate to the user that the highlighting mode has been activated. The Logan et al. reference does not teach the use of backlighting. Additionally, the obvious reasons that have been suggested by the Examiner for using backlighting are not the reasons advanced by Applicant's specification and amended claim 29. The Examiner is relying on Logan et al. and arbitrarily adding features to Logan et al. reference that were never suggested, intended, or disclosed by the reference. Further, the Examiner has

not provided a reference that teaches backlighting a mechanical mouse button with a touch pad integrated in the cavity opening of the mechanical mouse button. The Examiner is **again** requested to provide a reference supporting the statement that it is well known to backlight a mechanical mouse button having an integrated touch pad in the cavity opening of a mechanical mouse button that is *illuminated during the highlighting mode*.

For these reasons, Applicant submits that Logan et al. do not make obvious the claimed subject matter of claim 29. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of Logan et al. and is requested to withdraw this rejection.

3. Claims 11, 30, and 31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. U.S. Patent No. 5,327,161 in view of Gillick et al. U.S. Patent No. 5,530,455.

• **Specifically regarding the rejection of claim 11:**

The limitations of claim 11 specify that the touch pad is integrated into a cavity opening formed in a sidewall of the auxiliary computer mouse housing. The Examiner has cited Gillick et al. as teaching a side button 25 on a computer mouse as being equivalent to a touch pad, as claimed by Applicant. However, the button 25 of Gillick et al. is not equivalent to a touch pad. Further, the Gillick et al. reference does not at all address the use of a touch pad. Additionally, Logan et al. do not teach use of a touch pad integrated into a cavity opening formed in a sidewall of the computer mouse housing. In fact, there is no need of buttons on the mouse of Logan et al. because the entire touch pad device 20 functions as a button. In contrast, Applicant's invention includes a housing structure for accommodating the button/touch pad – the Logan et al. reference does not include a housing structure. Applicant's mouse housing structure is not physically manipulated in any way to start or end a computer function. However, the pointing devices taught by Logan et al. and Gillick et al. must be physically moved.

Additionally, the side button 25 of Gillick et al. invention is used to perform a scrolling function (see column 5, lines 1-2; column 8, lines 11-13).

The Gillick et al. invention “*relates to computer pointing devices, such as mice and track balls*” (see column 1, lines 5-10, column 2, lines 47-48). Accordingly, the Gillick et al. mouse must be picked-up, moved, or repositioned across a surface to cause repositioning of a screen cursor. In contrast, the Logan et al. reference does not reposition a screen cursor using the repositioning methods required by Gillick et al. Accordingly, the pointing devices of Logan et al. and Gillick et al. function differently and are not compatible or combinable.

Therefore, it would not have been obvious to have included a touch pad or a button in a sidewall cavity of the computer mouse of Logan et al. because:

1) Neither the Logan et al. reference nor the Gillick et al. reference teaches use of a touch pad in a sidewall cavity, as claimed. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for placement of a touch pad as claimed by Applicant.

The Gillick et al. reference never suggests using a touch pad. In fact, the Gillick et al. reference “*relates to computer pointing devices, such as mice and track balls*” (see column 1, lines 5-10, column 2, lines 47-48), which teaches away from the intention of the Logan et al. reference which notes that “*Touchpad input devices ... used to replace the mouse cursor locator/input device.*” (see column 1, lines 18-21). Accordingly, the teachings of Logan et al. are to replace known mouse cursor locator/input devices, such as those taught by Gillick et al.

It is also noted that the computer mouse of the instant invention, as recited in claim 6 (from which claim 11 depends), “*provides a mechanical mouse button movably mounted in the mouse system housing and capable of independent movement relative to said mouse housing to invoke a highlighting operation without physical movement of the mouse housing.*” Because the Gillick et al. reference “*relates to computer pointing devices, such as mice and track balls*” (see column 1, lines 5-10, column 2, lines 47-48), physical movement of the pointing device is necessary and teaches away from applicant’s invention.

2) Logan et al. do not require the use of a scrolling button, as taught by Gillick et al. Accordingly, it **would not** have been obvious to have provided the device taught by Logan et al. with an unnecessary scrolling button. There simply is no motivation.

3) Logan et al. **do not teach** a mouse housing structure. Applicant's claim recites a computer mouse housing supporting at least one mechanical mouse button and at least one touch pad. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for placement of a touch pad, as claimed by Applicant.

For these reasons, Applicant submits that the combination of Logan et al. and Gillick et al. does not suggest or make obvious the claimed subject matter of claim 11. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claim 30:**

The limitations of claim 30 specify that *“the mouse button is integrated into a cavity opening formed in a topwall of the computer mouse housing and the touch pad is integrated into a sidewall of the auxiliary computer mouse housing and adapted to be manipulated with a thumb of a user.”* The Examiner has cited Gillick et al. as teaching a side button 25 on a computer mouse as being equivalent to a touch pad and/or a computer mouse button. However, the button 25 of Gillick et al. is not equivalent to a touch pad. Further, the Gillick et al. reference does not at all address the use of a touch pad.

Additionally, Logan et al. do not teach use of a touch pad integrated into a cavity opening formed in a sidewall of the computer mouse housing adapted to be manipulated with the thumb of the user. In fact, there is no need of buttons on the touchpad device 20 of Logan et al. because the entire touch pad device 20 functions as a button. In contrast, Applicant's invention includes a housing structure for accommodating the button/touch pad – the Logan et al.

reference does not include a housing structure. Applicant's mouse housing structure is not physically manipulated in any way to start or end a computer function, as is the touch pad device 20 taught by Logan et al.

Additionally, the side button 25 of Gillick et al. invention is used to perform a scrolling function (see column 5, lines 1-2; column 8, lines 11-13). The Gillick et al. invention *"relates to computer pointing devices, such as mice and track balls"* (see column 1, lines 5-10, column 2, lines 47-48). Accordingly, the Gillick et al. mouse must be picked-up, moved, or repositioned across a surface to cause repositioning of a screen cursor. In contrast, the Logan et al. reference does not reposition a screen cursor using the repositioning methods required by Gillick et al. Accordingly, the pointing devices of Logan et al. and Gillick et al. function differently and are not combinable.

Therefore, it would not have been obvious to have included a touch pad or a button in a sidewall cavity of the computer mouse of Logan et al. because:

1) Neither the Logan et al. reference nor the Gillick et al. reference teaches use of a touch pad in an area of the computer mouse housing, as claimed. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for placement of a touch pad as claimed by Applicant.

The Gillick et al. reference never suggests using a touch pad. In fact, the Gillick et al. reference *"relates to computer pointing devices, such as mice and track balls"* (see column 1, lines 5-10, column 2, lines 47-48), which teaches away from the intention of the Logan et al. reference which notes that *"Touchpad input devices ... used to replace the mouse cursor locator/input device."* (see column 1, lines 18-21). Accordingly, the teachings of Logan et al. are to replace known mouse cursor locator/input devices, such as those taught by Gillick et al.

It is also noted that the computer mouse of the instant invention, as recited in claim 6 (from which claim 30 depends), *"wherein said auxiliary computer mouse comprises a computer mouse housing supporting at least one*

mechanical mouse button, and at least one touch pad, said mechanical mouse button being movably mounted within said mouse system housing and capable of independent movement relative to said mouse housing to invoke a highlighting mode without physical movement of said mouse housing.”

Because the Gillick et al. reference “*relates to computer pointing devices, such as mice and track balls*” (see column 1, lines 5-10, column 2, lines 47-48), physical movement of the pointing device is necessary and teaches away from applicant’s invention.

2) Logan et al. do not require the use of a scrolling button. Accordingly, it would not have been obvious to have provided the device taught by Logan et al. with an unnecessary scrolling button. There simply is no motivation.

3) Logan et al. do not teach a mouse housing structure. Applicant’s claim recites a mouse housing supporting at least one mechanical mouse button integrated into a cavity opening formed in a topwall of the mouse housing and at least one touch pad integrated into a sidewall of the auxiliary computer mouse housing. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for placement of a touch pad and mouse button, as suggested by the Examiner.

For these reasons, Applicant submits that the combination of Logan et al. and Gillick et al. does not suggest or make obvious the claimed subject matter of claim 30. Accordingly, the Examiner has not shown that Applicant’s claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claim 31:**

The limitations of claim 31 specify that the mouse touch pad is integrated into an area of the computer mouse housing separate from said mechanical mouse button. The Examiner has cited Gillick et al. as teaching a side button 25 on a computer mouse as being equivalent to a touch pad, as claimed by Applicant. However, the button 25 of Gillick et al. is not equivalent to a touch

pad. Further, the Gillick et al. reference does not at all address the use of a touch pad. Additionally, Logan et al. do not teach use of a touch pad integrated into a cavity opening formed in an area of the computer mouse housing separate from the mechanical mouse button. Further, Logan et al. do not teach a housing. In fact, there is no need of buttons on the mouse of Logan et al. because the entire touch pad device 20 functions as a button. In contrast, Applicant's invention includes a housing structure for accommodating the button/touch pad – the Logan et al. reference does not include a housing structure. As well, Applicant's mouse housing structure is not physically manipulated in any way to start or end a computer function, as is the pointing devices taught by Logan et al. and Gillick et al.

Additionally, the side button 25 of Gillick et al. invention is used to perform a scrolling function (see column 5, lines 1-2; column 8, lines 11-13). The Gillick et al. invention *“relates to computer pointing devices, such as mice and track balls”* (see column 1, lines 5-10, column 2, lines 47-48). Accordingly, the Gillick et al. mouse must be picked-up, moved, or repositioned across a surface to cause repositioning of a screen cursor. In contrast, the Logan et al. reference does not reposition a screen cursor using the repositioning methods required by Gillick et al. Accordingly, the pointing devices of Logan et al. and Gillick et al. function differently and are not combinable.

Therefore, it would not have been obvious to have included a touch pad or a button in an area cavity of the computer mouse of Logan et al. because:

1) Neither the Logan et al. reference nor the Gillick et al. reference teaches use of a touch pad in an area cavity of a mouse housing, as claimed. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for placement of a touch pad as claimed by Applicant. Further, Logan et al. do not teach a housing.

The Gillick et al. reference never suggests using a touch pad. In fact, the Gillick et al. reference *“relates to computer pointing devices, such as mice and track balls”* (see column 1, lines 5-10, column 2, lines 47-48), which

teaches away from the intention of the Logan et al. reference which notes that *“Touchpad input devices ... used to replace the mouse cursor locator/input device.”* (see column 1, lines 18-21). Accordingly, the teachings of Logan et al. are to replace known mouse cursor locator/input devices, such as those taught by Gillick et al.

It is also noted that the computer mouse of the instant invention, as recited in claim 6 (from which claim 31 depends), *“wherein said auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad, said mechanical mouse button being movably mounted within said mouse system housing and capable of independent movement relative to said mouse housing to invoke a highlighting mode without physical movement of said mouse housing.”*

Because the Gillick et al. reference *“relates to computer pointing devices, such as mice and track balls”* (see column 1, lines 5-10, column 2, lines 47-48), physical movement of the pointing device is necessary and teaches away from applicant’s invention.

2) Logan et al. do not require the use of a scrolling button. Accordingly, it would not have been obvious to have provided the device taught by Logan et al. with an unnecessary scrolling button, as taught by Gillick et al. There simply is no motivation.

3) Logan et al. *do not teach* a mouse housing structure. Applicant’s claim recites a mouse housing supporting at least one mechanical mouse button and at least one touch pad. The Logan et al. reference is deficient because it does not teach a housing structure for supporting at least one mechanical mouse button and at least one touch pad – accordingly there is no housing structure for movably mounting the mechanical mouse button or placement of a touch pad, as claimed by Applicant.

For these reasons, Applicant submits that the combination of Logan et al. and Gillick et al. does not suggest or make obvious the claimed subject matter of claim 31. Accordingly, the Examiner has not shown that Applicant’s

claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

4. **Claims 13-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. U.S. Patent No. 5,327,161 in view of Zagnoev U.S. Patent No. 5,936,555.**

• **Specifically regarding the rejection of claim 13:**

The limitations of claim 13 specify an auxiliary computer keyboard with a keyboard housing having at least one mechanical mouse button movably mounted in said keyboard housing and at least one touch pad mounted in the keyboard housing. The Examiner has indicated that *“Logan et al. do not teach the incorporation of the mouse into a computer keyboard.”* The Examiner cites Zagnoev as teaching a mouse embedded in an auxiliary keyboard. The Examiner further indicates that *“It would have been obvious to one skilled in the art to add a mouse into a keyboard because of its extreme conventionality and the added value of space-saving and convenience factors.”* However, it is unclear to Applicant which reference cited by the Examiner is being modified. The basis of the rejection is Logan et al. in view of Zagnoev. However, it appears that Zagnoev is being modified in the rejection. In any event, it is noted that Zagnoev does not teach using touch pads.

The Zagnoev reference is drawn to a combined keyboard, consisting of two keyboard parts, and a pointing system. One of the two keyboards is adapted to be gripped by one hand of a user and be moved on support surface as a mobile keyboard part to generate pointing movement commands to cause movement of a pointing member on the computer (see Abstract; column 2, lines 5-12; column 3, lines 15-35; column 4, lines 20-25; column 5, lines 17-25). In contrast, the keyboard of Applicant’s claim 13 is not moved on a support surface to generate pointing movement commands to cause movement of a pointing member on the computer – “said keyboard housing does not require physical repositioning or physical movement to position or manipulate a screen cursor”. Pointing operations of Applicant’s invention are caused by

use of a touch pad integrated in a wall cavity of the keyboard. Use of a touch pad in Zagnoev would destroy the invention of Zagnoev, because movement of the Zagnoev keyboard would no longer be necessary.

Additionally, there is no touch pad taught by the Zagnoev reference. Nor, would there be a reason to include a touch pad in the Zagnoev reference.

Claim 13 recites that the mechanical mouse button is movably mounted in said keyboard housing and is capable of independent movement relative to said keyboard housing to invoke a highlighting mode without physical movement of said keyboard housing. The entire Logan et al. touch pad device 20 must be moved to invoke dragging. The Logan et al. reference does not teach a keyboard housing wherein mechanical mouse button is moved relative to a keyboard housing. Accordingly, the Logan et al. reference does not teach the claimed limitations.

Therefore, it would not have been obvious to have modified Zagnoev to include a touch pad because: 1) Zagnoev uses a computer keyboard that is moved on a support surface to generate pointing movement commands, which is completely opposite of Applicant's claimed invention of claim 13; 2) because Zagnoev does not teach an auxiliary keyboard having a touch pad positioned in the keyboard housing, and 3) because Logan et al. do not teach using a touch pad used through an auxiliary computer keyboard.

For these reasons, Applicant submits that the combination of Logan et al. and Zagnoev do not suggest or make obvious the claimed subject matter of claim 13. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claim 14:**

The rejection of claim 14 should be withdrawn because claim 14 depends from claim 13 which requires *an auxiliary computer keyboard, comprising a keyboard housing with a mechanical mouse button and touch pad positioned in the keyboard housing*. Neither the Logan et al. reference nor the Zagnoev

reference teaches using a touch pad integrated into a cavity opening formed in a keyboard housing.

Therefore, it would not have been obvious to have modified Zagnoev to include a touch pad because 1) neither the Logan et al. reference nor the Zagnoev reference teaches using a touch pad positioned in a keyboard housing; 2) Logan et al. do not teach an auxiliary computer keyboard; 3) Zagnoev uses a computer keyboard that is moved on a support surface to generate pointing movement commands, which is completely opposite of Applicant's claimed invention; and 4) because Logan et al. do not teach using a mouse through an auxiliary computer keyboard.

For these reasons, Applicant submits that the combination of Logan et al. and Zagnoev do not suggest or make obvious the claimed subject matter of the combination of claims 13 and 14. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claims 15 and 16:**

The limitation of claim 15 recites that the mechanical mouse button is a press and lock button. The limitation of claim 16 recites that the mechanical mouse button is a sliding panel button. The Examiner indicated that claims 15 and 16 are rejected with the same reasoning presented in the rejection of claims 3 and 4. However, it is noted that the Zagnoev reference is not used in the rejection of claims 3 and 4. It is unclear how Zagnoev is being used in the rejection of claims 15 and 16, because Zagnoev does not meet the claimed limitations.

It appears that the Examiner is implying that Logan et al. teach a press button and that Zagnoev teaches that the different button types claimed are well known in the art. However, Zagnoev does not teach the use of press and lock buttons or sliding panel buttons. Therefore, Zagnoev does not teach the equivalency of press buttons to press and lock buttons and sliding panel buttons. Accordingly, there is no suggestion or motivation in the Zagnoev reference to replace the press button of Logan et al. with a press and lock

button or a sliding panel button because neither Logan et al. nor Zagoev suggest or teach Applicant's claimed mechanical mouse buttons of claims 15 and 16. Further, there is no suggestion or motivation in Logan et al. to replace the buttons of Zagoev with a press and lock button or a sliding panel button because neither Logan et al. nor Zagoev suggest or teach Applicant's claimed mechanical mouse buttons. Neither Zagoev, nor Logan et al., teach the equivalency of the claimed mechanical mouse button types. The references must provide the teaching that the Examiner is relying on. Note that Logan et al. is specific in the type of mouse button design to be used, because the button type functions properly in the Logan et al. invention. Therefore, the Examiner cannot rely on Zagoev for motivation to modify Logan et al. Further, the Zagoev reference does not overcome the deficiencies of the Logan et al. reference with regard to claim 13. Accordingly, the rejection of claims 15 and 16 should be withdrawn.

The Zagoev reference is specific for a particular mouse design and operation which is completely different from the design and operation of the Logan et al. touch pad device 20. There is no motivation or suggestion in either reference that would lead one to modify either reference in view of the other. There is simply nothing disclosed in either reference suggesting the claimed mechanical mouse buttons. Further, modification of either reference by the other would destroy the teachings and functionality of the respective reference.

The Examiner further indicates, *"Claims 15 and 16 are rejected with the same reasoning presented in the rejection of claims 3 and 4."* The rejection of claim 3 and 4 indicates *"It would have been obvious to one skilled in the art to choose a press and lock button or a sliding panel button as the preferred embodiment if such substitutions improved on the user friendliness of Logan's invention."* In response, it is noted that the entire basis for operation of the drag function in the Logan et al. mouse is use of pressing the entire mouse in an "up and down" direction. This is not "press and lock" or "sliding panel" – wherein the functioning of each is completely

different from that of Logan et al. The functionality of the Logan et al. touch pad device 20 does not lend itself to modification.

It is noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Zagnoev to reject claims 15 and 16.

Therefore, it would not have been obvious to have modified the teachings of Logan et al. using Zagnoev or Zagnoev using Logan et al. because neither reference teaches the equivalency of press buttons to press and lock buttons and sliding panel buttons and Logan et al. is specific for a single type of touch pad physical manipulation to perform the operations of his invention. Further, combining the two references does not produce Applicant's claimed invention.

For these reasons, Applicant submits that the combination of Logan et al. and Zagnoev do not suggest or make obvious the claimed subject matter of claims 15 and 16. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 17:**

The limitation of claim 17 recites that the touch pad is integrated into a cavity opening formed in the mechanical mouse button. The mechanical mouse button being located in an auxiliary computer keyboard. The Examiner indicated in the rejection that ***"Claim 17 is rejected with the same reasoning presented in the rejection of claim 10."*** Applicant notes that there are distinct differences between claim 10 and claim 17. Claim 10 depends from claim 6 and is drawn to an auxiliary computer mouse and claim 17 depends from claim 13 and is drawn to an auxiliary computer keyboard. It is unclear how the Examiner can rely on the same reasoning.

It is further noted that Zagnoev was not used in the rejection of claim 10, but is used in the claim 17 rejection. It is further unclear how Zagnoev is being used in the rejection of claim 17, because Zagnoev does not meet the claimed limitations of claim 17 in combination with claim 13 which requires an auxiliary computer keyboard, comprising a keyboard housing with a

mechanical mouse button and said at least one touch pad positioned in a cavity opening formed in said at least one mechanical mouse button with the mouse button/touch pad combination being integrated in a keyboard housing cavity. Neither reference, either alone or in combination, teaches these limitations.

Therefore, it would not have been obvious to have modified Zagnoev as suggested by the Examiner because: 1) Neither the Logan et al. reference nor the Zagnoev reference teaches using a touch pad positioned in a keyboard cavity; 2) Logan et al. do not teach an auxiliary computer keyboard; 3) Zagnoev uses a computer keyboard that is moved on a support surface to generate pointing movement commands, which is completely opposite of Applicant's claimed invention; and 4) because Logan et al. do not teach using a mouse through an auxiliary computer keyboard.

The Zagnoev reference does not overcome the deficiencies of the Logan et al. reference with regard to claim 17.

It is noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Zagnoev to reject claim 17.

For these reasons, Applicant submits that the combination of Logan et al. and Zagnoev do not suggest or make obvious the claimed subject matter of claim 17. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

- 5. Claims 18-21, 23, and 32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. U.S. Patent No. 5,327,161 in view of Collas et al. U.S. Patent No. 5,473,347.**

• Specifically regarding the rejection of claim 18:

Initially, it is noted that the basis of the rejection is unclear and confusing. Claims 18-20 and 32 depend from claim 13 (note that claim 32, as amended, now depends from claim 6). It is noted that the Examiner rejected claim 13 over Logan et al. in view of Zagnoev. The basis of the rejection of claims 18-20 and 32 does not include Zagnoev – only Logan et al. in view of Collas.

The Examiner also refers back to the rejection of claim 11 indicating “*Much like the reasoning offered in the rejection of claim 11, placing the mouse buttons on the sidewall of a computer keyboard is also very customary in the art.*” It is noted that claim 11 was rejected by the Examiner using Logan et al. in view of Gillick et al. The basis of the rejection of claims 18-21, 23, and 32 does not include Gillick et al. – only Logan et al. in view of Collas. For the record, neither Gillick et al. nor Logan et al. teach the use of touch pads in a cavity opening formed in a sidewall of a keyboard housing. It is further noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Collas to reject claims 18-21, 23, and 32. Accordingly, the basis of the rejection is confusing and improper and the Examiner is requested to withdraw the rejection and afford the Applicant a fair opportunity to respond to a proper rejection.

It is also noted that claim 18 is drawn to an “auxiliary computer keyboard”, which is not disclosed by Collas or Logan et al. The Collas invention is drawn to laptop computers and does not meet the claimed limitation of an auxiliary computer keyboard. The Logan et al. reference, likewise, does not teach an auxiliary computer keyboard.

Additionally, claim 18 claims “*a touch pad integrated into a cavity opening formed in a sidewall of said keyboard housing.*” The Collas reference, either alone or in combination with Logan et al., fails to teach this limitation. Further, the Collas reference actually teaches using a joystick – not a touch pad (see Abstract; column 3, lines 3-10).

The combination of Logan et al. and Collas do not teach: 1) an auxiliary keyboard; 2) a touch pad integrated into a sidewall cavity opening of said keyboard housing; 3) using a touch pad positioned in an auxiliary keyboard housing.

For these reasons, Applicant submits that the combination of Logan et al. and Collas do not suggest or make obvious the claimed subject matter of claim 18. Accordingly, the Examiner has not shown that Applicant’s claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 19:**

Initially, it is noted that the basis of the rejection is unclear. Claims 18-20 and 32 depend from claim 13 (note that claim 32, as amended, now depends from claim 6). It is noted that the Examiner rejected claim 13 over Logan et al. in view of Zagnoev. The basis of the rejection of claims 18-20 and 32 does not include Zagnoev – only Logan et al. in view of Collas. The Examiner also refers back to the rejection of claim 11 indicating *“Much like the reasoning offered in the rejection of claim 11, placing the mouse buttons on the sidewall of a computer keyboard is also very customary in the art.”* It is noted that claim 11 was rejected by the Examiner using Logan et al. in view of Gillick et al. The basis of the rejection of claims 18-21, 23, and 32 does not include Gillick et al. – only Logan et al. in view of Collas. For the record, neither Gillick et al. nor Logan et al. teach the use of touch pads in a cavity opening formed in a sidewall of an auxiliary keyboard housing. It is further noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Collas to reject claims 18-21, 23, and 32. Accordingly, the basis of the rejection is confusing and improper and the Examiner is requested to withdraw the rejection and afford the Applicant a fair opportunity to respond to a proper rejection.

It is noted that claim 19 is drawn to an *“auxiliary computer keyboard having at least one mechanical mouse button integrated into a cavity opening formed in a sidewall of said keyboard housing”* which is not disclosed by either the Collas reference or the Logan et al. reference. The Collas invention is drawn to a laptop computer and does not meet the claimed limitations of an auxiliary computer keyboard. Additionally, claim 19 depends from claim 13 which claims a touch pad mounted in said auxiliary keyboard housing. Neither the Collas reference nor the Logan et al. reference teaches touch pads or using touch pads in an auxiliary keyboard housing. The Collas reference, either alone or in combination with Logan et al., fails to teach these limitations. Further, the Collas reference actually teaches using a joystick – not a touch pad (see Abstract; column 3, lines 3-10).

The combination of Logan et al. and Collas do not teach: 1) an auxiliary keyboard; 2) a touch pad positioned in said keyboard housing; 3) using a touch pad mounted in a auxiliary keyboard housing cavity; 4) a mechanical mouse button and integrated in a cavity opening formed in a sidewall of said auxiliary keyboard housing.

It is noted that the Examiner has not provided an **obvious statement** for using Logan et al. in view of Collas to reject claim 19.

For these reasons, Applicant submits that the combination of Logan et al. and Collas do not suggest or make obvious the claimed subject matter of claim 19. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claim 20:**

Initially, it is noted that the basis of the rejection is unclear. Claims 18-20 and 32 depend from claim 13 (note that claim 32, as amended, now depends from claim 6). It is noted that the Examiner rejected claim 13 over Logan et al. in view of Zagnoev. The basis of the rejection of claims 18-20 and 32 does not include Zagnoev – only Logan et al. in view of Collas. The Examiner also refers back to the rejection of claim 11 indicating *“Much like the reasoning offered in the rejection of claim 11, placing the mouse buttons on the sidewall of a computer keyboard is also very customary in the art.”* It is noted that claim 11 was rejected by the Examiner using Logan et al. in view of Gillick et al. The basis of the rejection of claims 18-21, 23, and 32 does not include Gillick et al. – only Logan et al. in view of Collas. For the record, neither Gillick et al. nor Logan et al. teach the use of touch pads in a cavity opening formed in a sidewall of an auxiliary keyboard housing. It is further noted that the Examiner has not provided an **obvious statement** for using Logan et al. in view of Collas to reject claims 18-21, 23, and 32. Accordingly, the basis of the rejection is confusing and improper and the Examiner is requested to withdraw the rejection and afford the Applicant a fair opportunity to respond to a proper rejection.

It is noted that claim 20 is drawn to an *“auxiliary computer keyboard”*, which is not disclosed by either Collas or Logan et al.. The Collas invention is drawn to a laptop computer and does not meet the claimed limitations of an auxiliary computer keyboard. Additionally, claim 20 depends from claim 13 which claims *“a touch pad positioned in the keyboard housing.”* Neither the Collas reference nor the Logan et al. reference teaches using touch pads in an auxiliary keyboard housing. Collas actually teaches using a joystick – not a touch pad (see Abstract; column 3, lines 3-10). Also, claim 20 recites the limitation of *“a mechanical mouse button having at least one finger-pressing device formed thereon for application of pressure for causing movement of said at least one mechanical mouse button.”* There is no disclosure in the Collas or Logan et al. references of providing mouse buttons having finger-pressing devices for manipulating the mouse buttons.

The combination of Logan et al. and Collas do not teach: 1) an auxiliary keyboard; 2) a touch pad positioned in said auxiliary keyboard housing; 3) using a touch pad positioned in a auxiliary keyboard cavity; 4) a mechanical mouse button having a finger-pressing device formed thereon that is integrated in a cavity opening formed in said auxiliary keyboard housing.

It is noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Collas to reject claim 20.

For these reasons, Applicant submits that the Logan et al. and Collas references, either alone or in combination, do not suggest or make obvious the claimed subject matter of claim 20. Accordingly, the Examiner has not shown that Applicant’s claimed product is structurally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

• **Specifically regarding the rejection of claim 21:**

Claim 21 has been amended to depend from claim 4 and further define the structural relationship of the sliding panel button relative to the handheld computer mouse housing. Specifically, the sliding panel button is capable of being displaced forward, backward, sideways, or diagonal. The cited references do not teach a sliding panel button that is capable of being

displaced from an initial position either forwards, backwards, sideways, or diagonally.

For these reasons, Applicant submits that the Logan et al. and Collas references, either alone or in combination, do not suggest or make obvious the claimed subject matter of claim 21. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally and functionally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 23:**

It is noted that claim 23 is drawn to an auxiliary computer keyboard, which is not disclosed by Collas or Logan et al. The Collas invention is drawn to a laptop computer and does not meet the claimed limitations of an auxiliary computer keyboard.

Additionally, amended claim 23 now depends from claim 6, which requires “*wherein said auxiliary computer mouse comprises a computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad, said mechanical mouse button being movably mounted within said mouse housing and capable of independent movement relative to said mouse housing to invoke a highlighting mode without physical movement of said mouse housing.*” Neither the Collas reference nor the Logan et al. reference teaches touch pads or using touch pads with an auxiliary computer keyboard.

It is noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Collas to reject claim 23.

For these reasons, Applicant submits that the references of Logan et al. and Collas, either alone or in combination, do not suggest or make obvious the claimed subject matter of claim 23. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally and functionally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

- **Specifically regarding the rejection of claim 32:**

It is noted that claim 32 is drawn to an *“auxiliary computer keyboard”*, which is not disclosed by either the Collas reference or the Logan et al. reference. The Collas invention is drawn to a laptop computer and does not meet the claimed limitations as recited in claim 32. Note that claim 32 recites that the keyboard housing is separate from the central processing unit housing. Neither the Logan et al. reference nor the Collas reference addresses or meets this limitation. The Collas reference is a laptop computer wherein the keyboard housing and the central processing unit housing are the same. The Logan et al. reference is drawn to a touch pad device 20 and does not address the claimed limitation of a keyboard housing, or any type of housing. Accordingly, neither the Logan et al. reference nor the Collas reference teach a keyboard housing that is separate from the central processing unit housing.

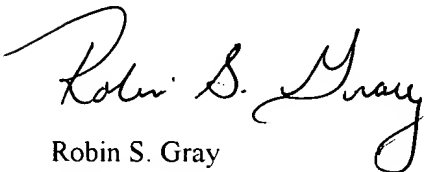
Additionally, claim 32 depends from claim 6, which is drawn to a *“computer mouse housing supporting at least one mechanical mouse button, and at least one touch pad, said mechanical mouse button being movably mounted within said mouse housing and capable of independent movement relative to said mouse housing to invoke a highlighting mode without physical movement of said mouse housing.”* Neither the Collas reference nor the Logan et al. reference teaches touch pads or using touch pads used with an auxiliary keyboard. Nor do the references teach a touch pad positioned in the auxiliary computer keyboard housing.

It is noted that the Examiner has not provided an obvious statement for using Logan et al. in view of Collas to reject claim 32.

For these reasons, Applicant submits that the references of Logan et al. and Collas, either alone or in combination, do not suggest or make obvious the claimed subject matter of claim 32. Accordingly, the Examiner has not shown that Applicant's claimed product is structurally and functionally the same as that of the cited references and the Examiner is requested to withdraw this rejection.

Applicant respectfully submits that the above arguments and amendments place the application for patent in condition for allowance and early notification to that effect is respectfully requested.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as Post Office To Addressee with Express mail label Number: ER 633470048 US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450, on August 6, 2004.

Robin S. Gray

Applicant



Signature

August 6, 2004

Date of Signature